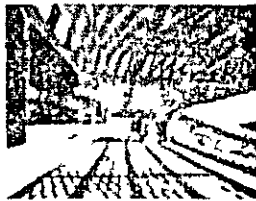


AGENDA



Thursday, April 12, 2007

The Austin City Council will convene at 10 00 AM on
Thursday, April 12, 2007 at Austin City Hall
301 W Second Street, Austin, TX



AUSTIN CITY CLERK
POSTING DATE/TIME
APR 12 6 PM 3 15

Mayor Will Wynn
Mayor Pro Tem Betty Dunkerley
Council Member Lee Leffingwell, Place 1
Council Member Mike Martinez, Place 2
Council Member Jennifer Kim, Place 3
Council Member Brewster McCracken, Place 5
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974 2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a competitive matter of Austin Energy as provided for under Section 551 086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda

Reading and Action on Consent Agenda

Action on the Following

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member

Invocation

Pastor Timothy Tutt, United Christian Church

10 00 AM -- City Council Convenes

Announcements of proposed items for upcoming council meeting (No discussion on these items)

Approval of Minutes

- 1 Approval of the minutes of the Austin City Council from the regularly scheduled meeting of April 5, 2007

Austin Energy

- 2 Approve the issuance of a Letter of Intent for a rebate in the amount of \$66,976.88 to ALORI PROPERTIES (37TH STREET), Austin, TX, for the installation of a solar photovoltaic system at their facility located at 506 West 37th Street, Austin, TX. Funding in the amount of \$66,976.88 is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.

Health and Human Services

- 3 Authorize negotiation and execution of a contract with PUSH UP FOUNDATIONS, INC , Austin, TX to provide men s shelter services, on a month-to-month contract basis from April 1, 2007 – July 31, 2007, for a monthly amount of \$14,166 66, and a total contract amount not to exceed \$56,666 64 Funding is included in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department

Public Works

- 4 Approve a resolution authorizing the fee simple acquisition of Lot 8, Block C, Onion Creek Forest, Section 1, a subdivision in Travis County, Texas, located at 5304 Sand Hill Drive from Martha Fuhrman and William Fuhrman for the Onion Creek Voluntary Flood Buyout FEMA-1606-DR Project, in the amount of \$50,000 for the land and improvements Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department
- 5 Approve a resolution authorizing the fee simple acquisition of Lot 1, Block N, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 7003 Thatch Lane, from Jose O and Maria D Ortiz for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$40,000 for the land and improvements and \$45,000 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$95,000 Funding in the amount of \$95,000 is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department
- 6 Approve a resolution amending Resolution No 20070111-026 authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City's local match fund participation requirement of \$69,300 for the Channel Road Bridge at Rocky Cliff Slough Project, an authorized federal off-system bridge program project, and for the City s performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0 90 miles South of William Cannon Drive) project and the Burleson Road Bridges at Country Club Creek project There is no anticipated fiscal impact A fiscal note is not required
- 7 Approve a resolution amending Resolution No 20070111 027 authorizing the negotiation and execution of all appropriate documents for the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to waive the City s local match fund participation requirement of \$88,200 for the Old Manor Road at Tannehill Branch Project, an authorized federal off-system bridge program project, and for the City s performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0 90 miles South of William Cannon Drive) project and the Burleson Road Bridges at Country Club Creek Project There is

no anticipated fiscal impact. A fiscal note is not required.

Purchasing Office

- 8 Authorize Amendment No. 1 to increase the spending authority and increase the term length of coal transportation tariff agreements with BNSF RAILWAY COMPANY, Ft. Worth, TX, and UNION PACIFIC RAILROAD, Omaha, NE, for the transportation of coal supplies by rail to the Fayette Power Project, and short term transportation contracts with qualified trucking companies for the transportation of coal supplies by truck to the Fayette Power Project from \$12 million per year to a revised amount of \$80 million per year for terms of up to 60 months in length. Up to \$80 million per fiscal year. Funding will be provided through the Electric Utility Fuel Charge revenue. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
- 9 Authorize negotiation, ratification, and execution of coal transportation tariff agreement with BNSF RAILWAY CO. (BNSF), Ft. Worth, TX, for coal transportation service in an amount not to exceed \$49,000,000. Funding will be provided through the Electric Utility Fuel Charge revenue. Critical Business Need. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
- 10 Authorize award and execution of two contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with HEIL OF TEXAS, Houston, TX, for the purchase of 17 automated refuse collection bodies in an amount not to exceed \$1,950,171.32, and LONGHORN INTERNATIONAL TRUCKS, LTD, Austin, TX, for the purchase of 17 truck cab and chassis in an amount not to exceed \$1,828,359. Funding in the amount of \$3,778,530.32 is available in the Fiscal Year 2006-2007 Capital Budget of the Solid Waste Services Department. Cooperative Purchase.

Treasury Office

- 11 Approve an ordinance authorizing the issuance of City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2007A (Forward Refunding), in an amount not to exceed \$70,000,000 and authorizing and approving related documents, and repealing Ordinance No. 20070322-028 and any accompanying documents. There is no debt service requirement in FY 2007. The FY 2008 debt service requirement will be included in the 2007-2008 proposed Budget of the Utility Revenue Bond Redemption Fund.

- 12 Approve an ordinance authorizing the issuance of City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2007B (Advanced Refunding), in an amount not to exceed \$220,000,000 and authorizing and approving related documents. There is no debt service requirement in FY 2007. The FY 2008 debt service requirement will be included in the 2007-2008 proposed Budget of the Utility Revenue Bond Redemption Fund.

Watershed Protection and Development Review

- 13 Authorize negotiation and execution of an amendment to the professional services agreement with PARSONS WATER AND INFRASTRUCTURE, INC., Austin, TX for professional engineering services on the Drainage Infrastructure Geographic Information System Data Acquisition project, in an amount of \$650,000 for a total contract amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement) with 17.0% MBE and 13.7% WBE subcontractor participation to date.

Item(s) from Council

- 14 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
- 15 Approve a resolution creating the Waller Creek Citizen Advisory Committee (Council Member Sheryl Cole and Mayor Pro Tem Betty Dunkerley).
- 16 Approve a resolution initiating code amendments and/or development agreements to appropriately address proposed development for Zion Rest Baptist Church at 3326 Paisano Trail, Austin, TX, and its associated property located across from the church on Paisano Trail and the Westbank Community Library District located generally in the western portion of Travis County within the Eanes Independent School District. This concerns development in the Barton Springs Zone (Mayor Will Wynn and Mayor Pro Tem Betty Dunkerley).
- 17 Approve an ordinance authorizing negotiation and execution of a contract between the City and the First Night Austin Organization to co-sponsor the First Night Austin 2008, to be held on December 31, 2007 (Mayor Pro Tem Betty Dunkerley, Mayor Will Wynn and Council Member Sheryl Cole).
- 18 Approve waiver of fees under Chapter 14 of the City Code for the Schlotsky's 25th Annual Bun Run, to be held on April 15, 2007 (Mayor Will Wynn, Mayor Pro Tem Betty Dunkerley and Council Member Brewster McCracken).

10 30 AM -- Morning Briefings

- 19 Presentation of the Mayor's Mental Health Task Force Monitoring Committee 2006 Annual Report by Dr. Susan Stone

12 00 PM -- Citizen Communications General

Scott Johnson - Central Texas Electric Lawn Mower Program

Jean Armstrong - Impact of Wal-Mart - Northcross Mall

CarolAnneRose Kennedy - ILL EAGLE EMMY GRANTS

Sean Hayden - Impact of Wal-Mart - Northcross Mall

Bridget Wallace - Wal-Mart Supercenter - Northcross Mall

Donna Beth McCormick - Northcross

Paul Abina - Austin Energy Bill

Pat Johnson - CTECH 911 Call Takers and Dispatchers

Ben Ogbodiegwu - Push-Up Car Wash

Gavino Fernandez - Push-Up Car Wash

Executive Session

- 20 Discuss legal issues concerning legislation in the 80th Legislative Session (Private Consultation with Attorney - Section 551.071)
- 21 Discuss legal issues concerning development at Northcross Mall (Private Consultation with Attorney - Section 551.071)
- 22 Discuss legal issues relating to the labor negotiations for a Meet and Confer contract with the Austin Safety Officers Association (Private Consultation with Attorney - Section 551.071)
- 23 Discuss legal issues related to Cause No. 6233380, State of Texas v Ben Ogbodiegwu, in the Municipal Court, City of Austin, Travis County, Texas, and contract agreements with Push Up Foundations, Inc. and the City of Austin (Private Consultation with Attorney - Section 551.071)

**4 00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS
CLOSED)**

- 24 C14-06 0121 - The Domain - Approve second and third readings of an ordinance amending Chapter 25 2 of the Austin City Code by rezoning property locally known as 10700-11000 Burnet Road, 11100-11900 Burnet Road, 2800 Block of Braker Lane and 3300 West Braker Lane (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with conditions First reading approved on March 1, 2007 Vote 7-0 Applicant RREEF Domain, L P (Chad Marsh) Agent Drenner+Golden, Stuart, Wolff, L L P (Michele Haussmann) City Staff Jorge E Rousselin, 974-2975
- 25 C14-06-0123 - Ardent 1 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 South Lamar Boulevard (West Bouldin Creek Watershed) from community commercial (GR) district zoning and general commercial services (CS) district zoning to community commercial-mixed use-conditional overlay (GR MU-CO) combining district zoning First reading approved on November 16, 2007 Vote 7-0 Applicant Ocean Stone SC, L L C (Robert S Peek Jr) Agent Drenner & Golden Stuart Wolff, SSP (Michele Rogerson) City Staff Robert Heil, 974-2330
- 26 C14-06-0124 - Ardent 2 – Approve second/third readings of an ordinance amending Chapter 25 2 of the Austin City Code by rezoning property locally known as 1418 South Lamar Boulevard (West Bouldin Creek Watershed) from multi-family residence-medium density (MF-3) district zoning and general commercial services (CS) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning First reading approved on November 16, 2007 Vote 7-0 Applicant Ocean Stone SC, L L C (Robert S Peek Jr) Agent Drenner & Golden Stuart Wolff SSP (Michele Rogerson) City Staff Robert Heil, 974-2330
- 27 C14-06-0157 - 13233 Pond Springs Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13233 Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR CO) combining district zoning for Tract 1, commercial-liquor sales-conditional overlay (CS-1) combining district zoning for Tract 2, and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 3 First reading approved on December 7, 2006 Vote 7-0 Applicant The London Management Trust (Michael S London) Agent Vincent Gerard and Associates, Inc (Vincent Huebinger) City Staff Sherri Sirwaitis, 974-3057

4 00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 28 NPA 07-0007 01 Jamestown Condos - Conduct a public hearing to
PH approve an ordinance amending Ordinance No 000629-106, the North Austin Civic Association (NACA) Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from commercial to mixed use for the property located at 8323 Jamestown Drive (Little Walnut Creek Watershed) Staff Recommendation To approve a land use designation of mixed use Planning Commission Recommendation To approve a land use designation of mixed use Applicant Rex Gore Agent Land Design Studio (Gary Bellamy) City Staff Paul DiGiuseppe, 974-2685
- 29 C14-07-0007 - Jamestown Condos - Conduct a public hearing and
PH approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8323 Jamestown Drive (Little Walnut Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial-services-neighborhood plan (CS-NP) combining district zoning to change a condition of zoning Staff Recommendation To grant general commercial services-conditional overlay-neighborhood plan (CS-CO NP) combining district zoning Planning Commission Recommendation To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning Applicant Rex Gore Agent Land Design Studio (Gary Bellamy) City Staff Tina Bui, 974-2755
- 30 C14-07-0010 - Cardinal Station - Conduct a public hearing and approve
PH an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3306-3310 South 2nd Street (Bouldin creek watershed) from family residence (SF-3) district zoning to public (P) district zoning Staff Recommendation To grant public (P) district zoning Planning Commission Recommendation To grant public (P) district zoning Applicant Austin Energy Agent Davar Engineering (Jim Herbert) City Staff Robert Heil, 974-2330
- 31 C814 06-0109 - Lakeshore PUD - Conduct a public hearing and approve
PH an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2201 Lakeshore Blvd (Town Lake Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning Staff Recommendation To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions Planning Commission Recommendation To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions Applicant Lakeshore LTD Agent Armbrust and Brown (David Armbrust) City Staff Robert Heil, 974 2330

5 30 PM -- Live Music

South Austin Jug Band

5 30 PM -- Proclamations

Proclamation -- Peggy Zuleika Lynch Day -- to be presented by Mayor Will Wynn and to be accepted by the honoree

Proclamation -- Community Development Block Grant Program -- to be presented by Mayor Will Wynn and to be accepted by Paul Hilgers

Honorary Citizen Certificates - High School Sister City Exchange Students from Koblenz, Germany and Certificates of Appreciation -- Host Families -- to be presented by Mayor Will Wynn and to be accepted by the honorees

Proclamation -- Week of the Young Child -- to be presented by Mayor Will Wynn and to be accepted by Amanda Hernandez


Proclamation -- 50th Anniversary of the National Pan American Golf Association of Austin, Inc -- to be presented by Mayor Will Wynn and to be accepted by Jesse Pena


Proclamation -- It's My Park Day -- to be presented by Council Member Jennifer Kim and to be accepted by Sherri Kuhl

6 00 PM -- Public Hearings and Possible Actions

- 32 Conduct a public hearing and consider an appeal by Nicki Mebane and
PH Walter Olenick of the Planning Commission's decision to approve a
 revision to a conditional use permit (Section 25-2.491 of the City Code)
 to increase the number of beds from 35 to 58 for a transitional housing
 use in CS-CO, Commercial Services, for Bannum, Inc. located at 1109
 East 52nd Street (Site Plan Number SPC-05-0027A) Conditional Use
 Permit approved by Planning Commission. Parking variance denied by
 Board of Adjustment
- 33 Conduct a public hearing to receive public comment and approve a
PH resolution to select 2201 East Ben White Boulevard as a site for a day
 labor center and directing the City Manager to negotiate and execute a
 lease for the site. Recommended by the Public Health and Human
 Services Subcommittee

Adjourn

 The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

 For assistance please call 974 3256 OR 974 2445 TDD

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak. Please call 974 3256 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de interprete en español comunicandose con la oficina del Secretario/a Municipal a no mas tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974 3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesion del Consejo.

CITY COUNCIL AGENDA

Council Meetings

January 11 2007

January 25 2007

February 1 2007

February 15 2007

March 1 2007

March 8 2007

March 22 2007

April 5 2007

April 12 2007

April 19 2007

May 3 2007

May 17 2007

May 24, 2007

June 7 2007

June 21 2007

July 26 2007

August 9 2007

August 23 2007

August 30 2007

September 10 11 12

(Budget Readings)

September 27 2007

October 11 2007

October 18 2007

November 1 2007

November 8 2007

November 29 2007

December 6 2007

December 13 2007

Cancelled Meetings

January 4 2007

January 18 2007

February 8 2007

February 22 2007

March 15 2007

March 29 2007

April 26, 2007

May 10 2007

May 31 2007

June 14 2007

June 28 2007

July 5 2007

July 12 2007

July 19 2007

August 2 2007

August 16 2007

September 6 2007

September 13 2007

September 20 2007

October 4 2007

October 25 2007

November 15 2007

November 22 2007

December 20 2007

December 27 2007